

RICHARD D. EMERY  
ANDREW G. CELLI, JR.  
MATTHEW D. BRINCKERHOFF  
JONATHAN S. ABADY  
EARL S. WARD  
ILANN M. MAAZEL  
HAL R. LIEBERMAN  
DANIEL J. KORNSTEIN  
O. ANDREW F. WILSON  
ELIZABETH S. SAYLOR  
DEBRA L. GREENBERGER  
ZOE SALZMAN  
SAM SHAPIRO  
ALISON FRICK  
DAVID LEBOWITZ  
HAYLEY HOROWITZ  
DOUGLAS E. LIEB  
ALANNA SMALL  
JESSICA CLARKE  
EMMA L. FREEMAN

EMERY CELLI BRINCKERHOFF & ABADY LLP

ATTORNEYS AT LAW  
600 FIFTH AVENUE AT ROCKEFELLER CENTER  
10<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK 10020

TELEPHONE  
(212) 763-5000  
FACSIMILE  
(212) 763-5001  
WEB ADDRESS  
www.ecbalaw.com

CHARLES J. OGLETREE, JR.  
DIANE L. HOUK

May 8, 2017

***Via ECF***

The Honorable Eric N. Vitaliano  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

*Re: Washington et al. v. HUD et al.*, No. 16-CV-3948 (ENV) (SMG)

Your Honor:

This firm, along with co-counsel at MFY Legal Services, represents Plaintiffs in this action. We write in response to the *pro se* filing of Eduardo Vallejo (Dkt. #50).

Defendants have represented that Mr. Vallejo's mortgage is not insured by the Federal Housing Administration and was not sold to the Caliber Defendants through the U.S. Department of Housing and Urban Development's Note Sale Program. Mr. Vallejo does not appear to be a member of the putative class in this action. To the extent that his motion may be construed as a motion for permissive intervention, his claims do not appear to share common questions of law or fact with Plaintiffs' claims. *See* Fed. R. Civ. P. 24(b). As such, we are not aware of any basis to join Mr. Vallejo as a party to this action. If the Court would find further briefing helpful, we would be pleased to make any additional submissions the Court may direct.

Respectfully,

/s/

Douglas E. Lieb

c. All counsel of record (via ECF)

Eduardo Vallejo  
508 North California Street  
Burbank, CA 91505